

HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

NORTHWEST BANK, an Idaho Bank,

Plaintiff-in-Interpleader

Case No. 2:15-CV-00348-JLR

PERKUMPULAN INVESTORS CRISIS
CENTER-DRESSEL-WBG, an Indonesian
corporation, GOETZ FITZPATRICK LLP.,
a New York limited liability partnership,
DOUGLAS GROSS, a New York resident
and possible successor in interest to
HOFHEIMER GARTLIR & GROSS LLP.,
a New York limited liability partnership, in
dissolution,

Defendants-in-Interpleader.

STIPULATED MOTION AND ORDER
FOR ESTABLISHMENT OF
INTERPLEADER AND DISCHARGE OF
PLAINTIFF NORTHWEST BANK; AND
ORDER OF DISCHARGE, DISMISSAL
AND DISBURSEMENT

DATE OF HEARING: May 7, 2015

I. STIPULATION

COMES NOW Plaintiff-in-Interpleader Northwest Bank, Defendants-in-Interpleader
Perkumpulan Investors Crisis Center-Dressel-WBG, Geotz Fitzpatrick, LLP, Douglas Gross,
and Hofheimer Gartlir & Gross, LLP, and stipulate as follows to expedite the resolution of
this matter due to the urgent needs of Defendants-in-Interpleader:

STIPULATED MOTION AND ORDER FOR ESTABLISHMENT
OF INTERPLEADER AND DISCHARGE OF PLAINTIFF
NORTHWEST BANK; AND ORDER OF DISCHARGE,
DISMISSAL AND DISBURSEMENT
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1 1. That the court has jurisdiction over this matter, and the venue is proper;

2 2. That the Funds subject to this action, more specifically identified below, be
3 disbursed as stated below;

4 3. That Plaintiff-in-Interpleader Northwest Bank shall be discharged regarding any
5 further liability regarding the funds as stated below and dismissed from this action with
6 prejudice and with an award of the costs and fees stated below; and

7 4. That Defendants-in-Interpleader are dismissed from this action with Prejudice and
8 without Costs as stated below.

9 Dated this 7th day of May, 2015

Dated this 7th day of May, 2015

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18 Dated this 7th day of May, 2015
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Attorney for Defendants-in-Interpleader
22 Douglas Gross, Goetz Fitzpatrick LLP, &
23 Hofheimer Gartlir & Gross LLP.

II. ORDER

Based upon the forgoing stipulation of counsel for all parties, it is hereby
ORDERED ADJUDGED AND DECREED that:

1. Plaintiff-in-Interpleader filed a Complaint initiating the instant interpleader Action pursuant to 28 USC § 1335, on March 6, 2015 (Dkt. No.1) seeking to have the court establish an interpleader over the funds in the amount of \$318,175.90, (the “Funds”) which were held by Northwest Bank in the name of Perkumpulan Investors Crisis Center-Dressel-WBG (“Perkumpulan”) as a result of 676,970 shares of Regal Financial Bank common stock that was converted into the right to receive \$0.47 per share of which Perkumpulan was the shareholder of record.

2. Competing and inconsistent claims arose as to the true owner of the Funds.

3. This court has subject matter jurisdiction over this interpleader action pursuant to 28 USC §§ 1332, 1335. Venue is proper in this Court because the funds in controversy result from suit in this judicial district.

4. All parties who may have a claim to the Funds have been properly joined in this action and have appeared through counsel.

5. On April 20, 2015, Northwest Bank filed a Motion for Order to Deposit the Funds with the Clerk pursuant to this Court’s General Order 04-14(I)(A) which was noted for consideration on May, 8, 2015, (Dkt No.5), and Northwest Bank shall deposit and/or disperse the Funds as further directed by the Court in this Order.

6. Upon the Entry of this Order, Northwest Bank’s Motion for Order to Deposit

1 the Funds in Interpleader shall be considered moot, as the Funds will be dispersed in
2 accordance with the agreement of the parties and this Order.

3 7. Northwest Bank has incurred \$7,461.50 in fees and \$400.00 costs in the
4 initiation and prosecution of the Interpleader Action, and is entitled to recover reasonable
5 attorney fees and costs in the amount of \$7,861.50.

6 8. Northwest Bank may deduct \$7,861.50 from the Funds, such deduction
7 representing the attorney's fees and costs incurred by Northwest Bank in the initiation and
8 prosecution of the Interpleader Action. To the extent that Northwest Bank incurs additional
9 attorney's fees in conjunction with the performance under this Order, Northwest Bank shall
10 be entitled to deduct such attorney's fees based upon a showing that such fees have been
11 reasonably incurred.
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13 9. The remaining funds in the amount of \$310,314.40 shall not be deposited
14 with the Clerk of Court by Northwest Bank, but rather based upon the agreement of the
15 parties, shall be tendered as follows: within two (2) days after the court enters this order
16 Northwest Bank shall be deliver to Kroontje Law Office PLLC at 1411 Fourth Avenue Suite
17 1330 a check made payable to "Hofheimer Gartlir & Gross LLP in Trust for Perkumpulan
18 Investors Crisis Center-Dressel-WBG" in the amount of \$310,314.40, which is \$318,175.90
19 less the 7,861.50 in attorney's fees and costs awarded above.
20

21 10. Upon delivery of the Funds, Plaintiff-in-Interpleader Northwest Bank shall be
22 dismissed as a party to the interpleader action and be discharged from further liability or
23 obligation regarding the Funds.

24 11. Defendants-in-Interpleader shall be enjoined from prosecuting any action or
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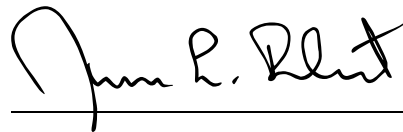
1 commencing any claim against Northwest Bank relating to the Funds or its proceeds.

2 12. Upon delivery of the Funds, all claims of the Defendants-in-Interpleader
3 Perkumpulan, Goetz Fitzpatrick LPL., Douglas Gross, and Hofheimer Gartlir & Gross LLP
4 against one another in regards to the Funds subject to this Interpleader are dismissed with
5 prejudice and without costs to any of the Defendants-in-Interpleader.

6 13. This Order shall be effective immediately upon entry, resolves fully all of the
7 claims asserted by the parties in this action, and is a final order under FRCP 54(b).

8 This matter having come before the undersigned Judge, with the agreement and
9 consent of all parties with regard to the Funds which are the subject matter of this
10 Interpleader Action, it is hereby SO ORDERED AND ADJUDGED.
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13 Dated this 7th day of May, 2015

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16 JAMES L. ROBART
17 United States District Judge
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1 PRESENTED BY:

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CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2015, the following documents: 1) Stipulated Motion and [Proposed] Order For Establishment Of Interpleader And Discharge Of Plaintiff Northwest Bank; And Order of Discharge, Dismissal, and Disbursement; and 2) this Declaration of Service were electronically filed with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to:

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DATED May 7, 2015.

Kroontje Law Office PLLC

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